

REMARKS

Claims 3-7, 9-18, and 20-26 are pending in the application. Claims 1, 2, and 8 have been cancelled. Claim 19 has been previously cancelled. Claims 3, 7, 9, and 25 have been amended. Claims 3, 15, and 26 are in independent form.

Claim Rejections – 35 U.S.C. §102

1-3. Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,223,942 to DeLuca (“the ’942 reference”). In response, Applicants have cancelled claim 1. Therefore, the rejection of claim 1 is moot.

Claim Rejections – 35 U.S.C. §103

4-7. Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,428,091 to Ito et al. (“the ’091 reference”) in view of the ’942 reference. In response, Applicants have cancelled claim 2. Therefore, the rejection of claim 2 is moot.

8-9. Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the ’091 reference in view of U.S. Patent 4,655,500 to Cunningham (“the ’500 reference”). Applicants respectfully traverse the rejection.

The Examiner has indicated that claims 8-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have amended claim 3 to include all the limitations of claim 3 and allowable claim 8. Thus, claim 3 is allowable.

Therefore, Applicants respectfully request that the rejection of claim 3 under 35 U.S.C. §103(a) as being unpatentable over the ’091 reference in view of the ’500 reference be withdrawn.

10-12. Claims 4-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '500 reference as applied to claim 3 above, and further in view of the '942 reference. Applicants respectfully traverse the rejection.

Claims 4-7 depend from amended claim 3 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 4-7 must be read as including the limitation of a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched between a wedge and a roller such that a cam follower is co-operable therewith to linearly translate the lifter arm until its linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested. Thus, claims 4-7 are allowable.

Therefore, Applicants respectfully request that the rejection of claims 4-7 under 35 U.S.C. §103(a) as being unpatentable over the '091 reference in view of the '500 reference as applied to claim 3 above, and further in view of the '942 reference be withdrawn.

Allowable Subject Matter

13. The Examiner states that claims 15-18 and 20-26 are allowed.

14. The Examiner states that claims 8-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have amended claim 3 to include all the limitations of claim 3 and allowable claim 8.

Applicants have cancelled claim 8.

Claims 9-14 depend from amended claim 3 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 9-14 must be read as including the limitation of a lifter arm including a cam profile provided as a flange on the lifter arm that is sandwiched between a wedge and a roller such that a cam follower is co-operable therewith to linearly translate the lifter arm until its

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linear motion is arrested and to pivotably tilt the lifter arm when its linear motion is arrested.
Thus, claims 9-14 are allowable.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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